

*Berrezueta v. Powerhouse Food Corp.*, 20-cv-4920

Moser Law Firm P.C.

## Statement of Attorneys' Fees and Costs In Support of Motion For Approval of Settlement

ATTORNEYS' FEES					
Date	Description	User	Rate (\$)	Hours	Amount(\$)
10/3/2018	Telephone call from Client	Paralegal	125.00	0.2	25.00
10/3/2018	Meeting with client in office. Review documentation and conduct pre-screening.	Paralegal	125.00	1.7	212.50
10/31/2018	Meeting with client in office - Redacted	Steven J. Moser	450.00	1.9	855.00
10/31/2018	Online research regarding Redacted	Steven J. Moser	450.00	0.2	90.00
11/8/2018	Telephone call to client re Redacted	Paralegal	125.00	0.1	12.50
11/8/2018	Telephone call from client re Redacted	Paralegal	125.00	0.2	25.00
11/8/2018	Investigation - Redacted	Paralegal	125.00	0.4	50.00
11/8/2018	Investigation - Defendant Corporation - Redacted	Paralegal	125.00	1.2	150.00
11/8/2018	Investigation - ID Related Entities	Paralegal	125.00	0.8	100.00
11/8/2018	Investigation - Search on Department Of Labor for WC Insurance - Active, Search on NYS Department Of Division of Corporations for PowerHouse Food Corp and Gemstone Supermarket. Search on NYS Unified Court System	Paralegal	125.00	1.3	162.50
11/8/2018	Investigation to ID Individual / Corp. Defendants	Paralegal	125.00	0.5	62.50
11/8/2018	Investigation- Online Searches Redacted for all supermarkets.	Paralegal	125.00	0.4	50.00
11/8/2018	Investigation - Prior litigation by and against corporate and individual defendants	Paralegal	125.00	1.2	150.00
11/8/2018	Investigation Report Completed.	Paralegal	125.00	1.2	150.00
11/8/2018	Telephone call from Client re Redacted	Paralegal	125.00	0.2	25.00
11/8/2018	Telephone call from client re Redacted	Paralegal	125.00	0.4	50.00
11/13/2018	Background research on Redacted	Steven J. Moser	450.00	0.5	225.00
11/13/2018	Consultation with client in office	Steven J. Moser	450.00	1.0	450.00
11/13/2018	Download and review Redacted	Steven J. Moser	450.00	0.4	180.00
11/13/2018	Download Redacted	Steven J. Moser	450.00	0.4	180.00
11/13/2018	Download Redacted	Steven J. Moser	450.00	0.1	45.00
11/13/2018	Locate case of Redacted	Steven J. Moser	450.00	0.1	45.00

11/13/2018	Telephone call from [REDACTED] regarding [REDACTED]	Steven J. Moser	450.00	0.5	225.00
1/3/2019	Telephone call with [REDACTED] man	Steven J. Moser	450.00	0.4	180.00
1/3/2019	Telephone call with client	Steven J. Moser	450.00	0.8	360.00
1/12/2019	Meeting with TL regarding obtaining witnesses	Steven J. Moser	450.00	0.4	180.00
1/25/2019	Created Spreadsheet List of Witness for case.	Paralegal	125.00	0.4	50.00
1/25/2019	Prepared initial damages calculation	Paralegal	125.00	1.3	162.50
2/5/2019	Mr. Berrezuela called, [REDACTED]	Paralegal	125.00	0.2	25.00
2/22/2019	Telephone call to Berrezueta re [REDACTED]	Paralegal	125.00	0.3	37.50
2/22/2019	Telephone call to Client re [REDACTED]	Paralegal	125.00	0.2	25.00
2/22/2019	Telephone call to witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/22/2019	Investigation - prepare instructions and questionnaire for Tania Lugo to contact	Steven J. Moser	450.00	1.2	540.00
2/22/2019	Meeting with Tanya Lugo regarding witnesses.	Steven J. Moser	450.00	0.3	135.00
2/22/2019	Witness [REDACTED] called to furnish information	Paralegal	125.00	0.7	87.50
3/14/2019	Meeting with client in office	Steven J. Moser	450.00	0.5	225.00
5/8/2019	Assist client [REDACTED]	Steven J. Moser	450.00	0.3	135.00
10/29/2019	Meeting with client in office on October 29, 2019	Steven J. Moser	450.00	1.5	675.00
10/29/2019	Meeting with KB regarding telephone calls to [REDACTED]	Steven J. Moser	450.00	0.2	90.00
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.2	25.00
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Witness [REDACTED] called back	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Witness [REDACTED] called to provide statement	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness Red [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness [REDACTED]	Paralegal	125.00	0.1	12.50

2/6/2020	Called witness	Redacted	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness	Redacted	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness	Redacted	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness	Redacted	Paralegal	125.00	0.1	12.50
2/6/2020	Called witness	Redacted	Paralegal	125.00	0.1	12.50
2/21/2020	Mr. Berrezueta called re	Redacted	Paralegal	125.00	0.1	12.50
7/30/2020	Research on	Redacted	Steven J. Moser	450.00	0.7	315.00
7/30/2020	Review file to determine	Redacted	Steven J. Moser	450.00	0.2	90.00
7/31/2020	Review all paystubs, schedules, and intake notes to prepare complaint		Steven J. Moser	450.00	1.0	450.00
7/31/2020	Telephone call to client re complaint - left message		Steven J. Moser	450.00	0.1	45.00
10/2/2020	Telephone call to Client re	Redacted	Paralegal	125.00	0.1	12.50
10/7/2020	Telephone call to E. Berrezueta to confirm	Redacted	Steven J. Moser	450.00	0.2	90.00
10/7/2020	Berrezueta called to confirm	Redacted	Paralegal	125.00	0.1	12.50
10/8/2020	Reviewed	Redacted	Paralegal	125.00	0.1	12.50
10/13/2020	Prepare class action complaint		Steven J. Moser	450.00	4.5	2,025.00
10/13/2020	Prepare summonses, civil cover sheet, and file complaint		Steven J. Moser	450.00	0.5	225.00
10/16/2020	Calendared Service Deadline for Each Defendant		Paralegal	125.00	0.1	12.50
10/20/2020	Emailed Copy of Filed Complaint, Summons Issued to Each Defendant, NYS SOS Entity Information Sheet for Each Corporate Defendant, to Alert for Service		Paralegal	125.00	0.1	12.50
10/30/2020	Client called re	Redacted	Paralegal	125.00	0.2	25.00
11/17/2020	Calculated and Calendared ▲'s Powerhouse Food Corp Summons Answer Date		Paralegal	125.00	0.1	12.50
11/17/2020	Calculated and Calendared ▲'s David Mandell Summons Answer Date		Paralegal	125.00	0.1	12.50
11/17/2020	Telephone call from David L Weissman re case		Steven J. Moser	450.00	0.3	135.00
11/17/2020	Email affidavit of service of complaint to Opposing Counsel		Steven J. Moser	450.00	0.1	45.00
11/17/2020	Filed via ECF Affidavit of Service for Powerhouse Food Corp.		Paralegal	125.00	0.1	12.50
11/17/2020	Filed via ECF Affidavit of Service for David Mandell.		Paralegal	125.00	0.1	12.50
11/18/2020	Telephone call to client re	Redacted	Steven J. Moser	450.00	0.2	90.00
1/19/2021	Prepare for initial conference with Judge Azrack		Steven J. Moser	500.00	0.3	150.00
1/19/2021	Participate in initial conference before Judge Azrack - case referred to mediation.		Steven J. Moser	500.00	0.2	100.00
1/19/2021	Telephone call from Steven Moser to Kelly Koster		Steven J. Moser	500.00	0.1	50.00
1/19/2021	Prepare stipulation to toll statute of limitations for opt-in plaintiffs for the period from 1/19/2021 until 14 days after the mediation date.		Steven J. Moser	500.00	0.4	200.00

1/19/2021	Email 2020-01-XX Stipulation to toll SOL for Opt-In Plaintiffs to opposing counsel and recommend Andrew Kimler and Patrick McKenna.	Steven J. Moser	500.00	0.1	50.00
2/17/2021	Revise stipulation to toll SOL for opt-in plaintiffs and file via ECF	Steven J. Moser	500.00	0.2	100.00
2/18/2021	Email to Client from SJM re Mediation	Steven J. Moser	500.00	0.1	50.00
2/18/2021	Telephone call from SJM to E Berrezueta re Mediation	Steven J. Moser	500.00	0.2	100.00
2/18/2021	Review, execute, scan and email confidentiality agreement to Kimler and Opposing	Steven J. Moser	500.00	0.2	100.00
2/18/2021	Revise Plaintiff's Damages Calculations for purposes of mediation	Steven J. Moser	500.00	0.6	300.00
2/18/2021	Prepare Plaintiff's ex parte mediation statement with Exhibits.	Steven J. Moser	500.00	3.9	1,950.00
2/18/2021	Email damages calculations spreadsheet to opposing counsel	Steven J. Moser	500.00	0.1	50.00
2/18/2021	Email ex-parte mediation statement to Andrew Kimler	Steven J. Moser	500.00	0.1	50.00
2/18/2021	Prepare attorneys fees and costs calculations to supplement damages calculations	Steven J. Moser	500.00	0.5	250.00
3/19/2021	Email mediation documents to Opposing Counsel	Steven J. Moser	500.00	0.1	50.00
3/19/2021	Berrezueta Mediation Documents to Opposing Counsel - Email 2 of 3	Steven J. Moser	500.00	0.1	50.00
3/19/2021	Email 1 of 3 - Mediation Documents to Opposing Counsel	Steven J. Moser	500.00	0.1	50.00
3/22/2021	Telephone call from SJM to E Berrezueta re Redacted	Steven J. Moser	500.00	0.4	200.00
3/23/2021	Prepare for mediation with A. Kimler	Steven J. Moser	500.00	1.0	500.00
3/23/2021	Participation in mediation with A. Kimler	Steven J. Moser	500.00	3.1	1,550.00
3/31/2021	Review and edit settlement agreement.	Steven J. Moser	500.00	0.6	300.00
3/31/2021	Email proposed revisions to settlement agreement to opposing counsel	Steven J. Moser	500.00	0.1	50.00
3/31/2021	Draft motion for approval of settlement	Steven J. Moser	500.00	0.9	450.00
3/31/2021	Email proposed motion for approval of FLSA settlement to opposing counsel for review and approval	Steven J. Moser	500.00	0.1	50.00
3/31/2021	Prepare closing statement to client	Steven J. Moser	500.00	0.2	100.00
3/31/2021	Email Redacted and Redacted client for his signature.	Steven J. Moser	500.00	0.1	50.00
5/10/2021	Telephone call from client re status of settlement	Steven J. Moser	500.00	0.1	50.00
5/10/2021	Download s Redacted and forward to opposing	Steven J. Moser	500.00	0.2	100.00
5/20/2021	Prepare consent to JD by Magistrate and send via docusign to Kelly Robreno Koster	Steven J. Moser	500.00	0.2	100.00
5/20/2021	Email proposed motion for Cheeks approval to Kelly Robreno Koster for review	Steven J. Moser	500.00	0.1	50.00
5/27/2021	File consent to JD by Magistrate Judge A. Kathleen Tomlinson	Steven J. Moser	500.00	0.2	100.00
5/27/2021	Revise and file motion for Cheeks approval of FLSA Settlement	Steven J. Moser	500.00	0.3	150.00
6/9/2021	Export, redact, and file contemporaneous billing records via ECF	Steven J. Moser	500.00	0.6	300.00
<b>TOTAL ATTORNEYS' FEES</b>					<b>18,112.50</b>

**COSTS**

10/14/2020	COURTS/USDC-NY-E-P	Steven J. Moser	400.00	1	400.00
11/10/2020	Process Service Fees	Steven J. Moser	90.00	1	90.00
11/6/2020	Process Service Fees	Steven J. Moser	135.00	1	135.00
<b>TOTAL COSTS</b>					<b>625.00</b>

**SUMMARY**

<u>Time Period</u>	<u>Name</u>	<u>Rate</u>	<u>Hours</u>	<u>Subtotal</u>
	` Paralegal	\$ 125.00	16.3	\$ 2,037.50
Prior to Jan 1, 2021	Steven J. Moser	\$ 450.00	18.5	\$ 8,325.00
On and after Jan 1, 2021	Steven J. Moser	\$ 500.00	15.5	\$ 7,750.00

**TOTAL ATTORNEYS' FEES** **\$ 18,112.50**

**TOTAL COSTS** **\$ 625.00**

**TOTAL ATTORNEYS'  
FEES AND COSTS** **\$ 18,737.50**